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BERGENSTRAHLE & LINDVALL

NR. 418 S. 2/8



PATENT
1291-0186P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Lars BRANDEN et al. Conf.: 8150
Appl. No.: 09/787,033 Group: 1632
Filed: May 14, 2001 Examiner: NGUYEN
For: TRANSFER METHOD FOR SPECIFIC CELLULAR LOCALISATION
OF NUCLEIC ACIDS

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DECLARATION PURSUANT TO 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Dr. J. I. Edvard Smith declare and say as follows:

1. I received my Ph.D. in Immunology in 1979 and my M.D. in 1980 from Karolinska Institutet in Stockholm, Sweden.

2. I am currently a Professor in Molecular Genetics at the Clinical Research Center, Karolinska Institutet, Huddinge University Hospital.

3. I have read the Office Action dated January 16, 2003 and the prior art cited therein. I now remark on the Examiner's rejection of the claims as being anticipated by, or obvious over the United States Patent of Felgner et al. (USP 6,165,720), hereinafter referred to as Felgner '720.

4. In the present claims, the simultaneous use of more than one single functional element (FE) is described. Felgner '720 does not deal with such simultaneous use of multiple ligands. Rather, Felgner '720 discloses a nuclear acid delivery

Considered Dpt 10/8/03